

REGULAR COUNCIL MEETING MARCH 11, 2019 7:00 P.M.

The meeting was opened by announcing this was an open meeting of the Common Council. Notice of this meeting was given to the public at least 24 hours in advance of the meeting by forwarding the complete agenda to the official City newspaper, The New Richmond News, and to all news media who have requested the same as well as posting. Copies of the complete agenda were available for inspection at the City Clerk's office and on the City's website at www.newrichmondwi.gov. Anyone desiring information as to forthcoming meetings should contact the City Clerk's office.

Roll call was taken.

Members Present: Mayor Fred Horne, Alderman Kittel, Ard, Jackson, Montello, Zajkowski and Volkert

The Pledge of Allegiance was recited.

Alderman Kittel moved to adopt the agenda as amended, seconded by Alderman Jackson and carried.

Public Comment

Consent Agenda

1. Approval of the Minutes from the Previous Regular Council Meeting, February 11, 2019 and Special Council Meeting, February 26, 2019
2. Application for Operator's License from David C. Mehls, New Richmond
3. Application for Temporary Class B Beer License from New Richmond Youth Hockey Association for March 15-17, 2019 at 450 Sports Center Road
4. Application for Six Month Class B Beer License form New Richmond Softball Association for Hatfield Park from April 15, 2019 through October 15, 2019
5. Application for Temporary Class B Beer License:
 - a) New Richmond Area Chamber of Commerce for April 11, 2019 at New Richmond Airport for the Packer Tailgate Party
 - b) New Richmond Area Chamber of Commerce for June 7-8, 2019 at Mary Park for Park Art Fair
 - c) VFW Post 10818 for the Civic Center Parking Lot on August 1, 2019 for the First National Community Bank Centennial Celebration
6. Application for Amplification Permit and Exemption from Sec. 50-87 Loud & Unnecessary Noise:
 - a) New Richmond Chamber of Commerce at the New Richmond Airport for April 11, 2019, 4:00 to 9:00 pm
 - b) First National Community Bank for August 1, 2019 5:00 p.m. to 9:00 p.m.

7. Payment of VO#63197 through VO#63295 totaling \$4,490,285.60 plus electronic fund transfers totaling \$1,934,800.48 for a grand total of \$6,425,086.08

General Fund	\$1,899,276.98
Impact Fees Fund	25,297.76
Cemetery Fund	203.33
CDBG – Housing	258.05
Debt Service Fund	255,376.71
Capital Projects	79,678.94
Capital Replacement Fund	28,623.84
Landfill Cleanup Fund	11,125.96
TID District #10	6,000.00

Storm Water Utility	27,120.15
Park land Trust Fund	5,127.10
Tax Agency Fund	4,100,610.56
Recycling/Compost/Yard Waste	16,386.70

8. Park Donation - Steven & Paula Bilitz \$50.00
Nash Finch \$2,500

9. Department Reports - Administration, Finance, Planning, Community Development, Public Works, Police, Fire, Library, Airport, and City Clerk

Alderman Ard moved to approve the consent agenda as presented, seconded by Alderman Jackson and carried.

National Red Cross Month

Bob & Henri Olson and Mike & Kathy Stephens were present from the Northwest Wisconsin Chapter of the American Red Cross. They had 92 incidents and assisted 117 families in 2018. They also installed 468 smoke alarms. Mayor Horne presented a proclamation to them declaring March as Red Cross Month.

Packer Tailgate Party Update

Chief Yehlik explained several Packer alumni and musician Chris Kroeze will be at the New Richmond Airport on April 11, 2019, for the Packer Tailgate Party. City staff is working with Chamber staff and other emergency service departments on traffic and safety plans for the event to keep everyone safe and to make sure the event runs smoothly. The crowd could be as large as 4,500 people. General admission tickets are still available for \$10 each.

Plan Commission Recommendation – BNA Properties LLC

The Plan Commission recommended approval of the Application for Rezoning from BNA Properties LLC for property located on North Fourth Street near the intersection with Hwy 64. Property is described as: 261-1019-06-151 - SEC 35 T31N R18W PT SW NE DESC AS COM AT W 1/4 SEC 35; TH N89E, 2686.07 TO POB; TH N89E, 271.63; TH N08E, 54.32; TH N39E, 235.20; TH N66W, 162.61; TH S63W, 315.74; THS00E, 161.76 TO POB DESC IN 976284. Property is currently zoned Z4 General Urban District and requested to be rezoned to Z3 Multi-Use/Corridor District. Noah Wiedenfeld explained the application for rezoning. The property is planned to be used for The Oral Surgery Center. Alderman Zajkowski moved to suspend the rules and adopt Ordinance #530 rezoning this property to Z3 Multi-Use/Corridor District, seconded by Alderman Montello and carried.

2019 Sidewalk Plan

Jeremiah Wendt presented the 2019 Sidewalk Plan which shows the portions of sidewalk that will be repaired or replaced in the City. Property owners are assessed 50% of the cost of the repairs or replacements. The City pays 100% for newly constructed sidewalks. The budget for sidewalk maintenance is \$30,000 for 2019. Alderman Zajkowski moved to approve the 2019 Sidewalk Plan as presented, seconded by Alderman Kittel and carried.

Sidewalk Bid Results

The following three bids were received for Sidewalk:

Cempour	\$45,490
J & S General Contracting	\$35,745
Solid Rock Custom Concrete	\$35,603

City Staff recommended awarding the contract to Solid Rock Custom Concrete in the amount of \$35,603. Alderman Montello moved to accept this recommendation, seconded by Alderman Jackson and carried.

Resolution #031901 – Sidewalk Assessments

Alderman Montello offered the following resolution and moved for its adoption:

RESOLUTION #021901

PRELIMINARY RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT POWER UNDER SECTION 66.0703, WIS. STATUTES AND SECTION 70-3, NEW RICHMOND CODE OF ORDINANCES

RESOLVED, by the Common Council of the City of New Richmond, WI:

1. The Common Council hereby declares its intention to exercise its police power under Section 66.0703, Wis. Statutes and Section 70-3, New Richmond Code of Ordinances, to levy special assessments upon property within the following described area for benefits conferred upon such property by improvement of existing sidewalks:
 - a. Existing sidewalks adjacent to the following property addresses:

229 N 2ND ST	110 S GREEN AVE
210 N 2ND ST	601 E 2ND ST
269 N 1ST ST	506 E 2ND ST
257 S WASHINGTON AVE	371 E 3RD ST
305 S WASHINGTON AVE	309 S GREEN AVE
371 S WASHINGTON AVE	406 E 5TH ST
145 W 2ND ST	551 S ARCH AVE
110 W 4TH ST	606 S STARR AVE
258 S KNOWLES AVE	651 S STARR AVE
636 S STARR AVE	
2. The public improvements shall include repair and/or replacement of concrete sidewalk panels or sections.
3. The total amount assessed against the properties described above shall not exceed 50% of the cost of improvements.
4. The Common Council determines that the improvements constitute an exercise of the police power for the health, safety, and general welfare of the municipality and its inhabitants.
5. The assessment against any parcel may be paid in in one lump sum or may be placed upon the tax roll to be repaid over five years at an annual interest rate of six percent.
6. The City Engineer is directed to prepare a report which shall consist of:
 - a. Plans and specifications for the improvements.
 - b. An estimate of the entire cost of the proposed improvements.
 - c. Schedule of proposed assessments.
7. When the report is completed, the City Engineer shall file a copy of the report with the City Clerk for public inspection.
8. Upon receiving the report of the City Engineer, the Clerk shall prepare a notice stating the nature of the proposed work or improvement, the general boundary lines of the proposed assessment district, the place and time at which the report may be inspected, and the place and time of the public hearing on the matters contained in the preliminary resolution and the report. This notice shall be published as a Class I notice and a copy shall be mailed, at least 10 days before the hearing, to every interested party whose address is known or can be ascertained with reasonable diligence.
9. The hearing shall be held in the Council Chambers of the New Richmond Civic Center at a time set by the Clerk in accordance with §66.0703, Stats.

Motion was seconded by Alderman Ard and carried.

Police Squad Car Bids

Chief Yehlik explained that two squad cars were originally ordered from Ewald Ford, but those vehicles were never built. New bids were requested for 2020 Ford interceptor vehicles. The following bids were received:

Johnson Ford \$33,413
Ewald's (State Bid) \$32,272

Alderman Zajkowski moved to approve purchasing two squad cars from Ewald's for the purchase price of \$32,272 with additional funds to come from the hail damage funds not used in 2018 and allow City staff to get a maintenance package from a local dealer, seconded by Alderman Jackson and carried. Alderman Montello abstained.

Squad #27 Replacement

The Public Safety Committee recommended moving forward with the 2019 Dodge Durango pursuit rated vehicle with additional funds not to exceed \$9,500. Alderman Ard moved to accept this recommendation with the funds not to exceed \$9,500 with the funds coming from the hail damage funds not used in 2018, seconded by Alderman Jackson and carried. Alderman Montello abstained.

Park Facility Reservation Policy

The Park Board recommended approving the Park Facility Reservation Policy. Alderman Kittel moved to approve the policy as presented, seconded by Alderman Montello. Alderman Ard asked about the language regarding alcohol in the parks. Alderman Ard moved to strike the alcohol language from this policy, seconded by Alderman Jackson. Currently there is language in City ordinances regarding alcohol in parks. Discussion followed. Alderman Montello called the question. Upon voting on the amendment, the motion passed unanimously. Upon voting on the main motion, motion carried unanimously.

Resolution #031902 – 2018 Amended Budget

Rae Ann Ailts explained the budget amendments and carried forward amounts. Alderman Montello offered the following resolution and moved for its adoption including the amounts carried forward and assigned fund balance:

CITY OF NEW RICHMOND
RESOLUTION #031902

WHEREAS, the City of New Richmond has levied taxes and appropriated monies for City operations, and
WHEREAS, unforeseen circumstances and events occurred in 2018, that were not anticipated when the budget was originally adopted.

NOW, THEREFORE, BE IT RESOLVED by the common council of the City of New Richmond that the 2018 budget be amended as follows:

GENERAL FUND	2018		AMENDED
	ADOPTED BUDGET	ADJUSTMENTS	2018 BUDGET
REVENUES			
General Property Taxes	3,147,854.00	-	3,147,854.00
Taxes (other than property)	713,009.00	4,184.59	717,193.59
Public Imp Revenue-Assessments	4,196.00	-	4,196.00
Intergovernmental Revenues	1,535,870.00	154,736.98	1,690,606.98
Regulation & Compliance Revenue	397,665.00	226,361.42	624,026.42
Public Charges for Service	355,643.00	73,544.47	429,187.47
Miscellaneous Revenue	168,434.00	77,844.92	246,278.92
Other Financing Sources & Transfers	77,000.00	-	77,000.00
TOTAL REVENUES	6,399,671.00	536,672.38	6,936,343.38
EXPENDITURES			
General Government	1,062,105.00	50,814.60	1,112,919.60
Protection - Person & Property	2,622,318.00	106,186.72	2,728,504.72
Public Works - Streets	1,278,112.00	255,586.60	1,533,698.60
Health & Sanitation	1,303,945.00	1,108.26	1,305,053.26
Education & Recreation	5,900.00	223,821.14	229,721.14
Conservation & Development	105,291.00	66,459.09	171,750.09
Other Financing Uses & Transfers	15,000.00	-	15,000.00

Outlay	7,000.00	13,381.85	20,381.85
TOTAL EXPENDITURES	6,399,671.00	717,358.26	7,117,029.26
OTHER FUNDS			
REVENUES			
Impact Fees	114,670.00	-	114,670.00
Cemetery Fund	12,250.00	4,804.00	17,054.00
WDF/RLF/Housing Fund	50.00	-	50.00
Debt Service Funds	2,996,436.00	-	2,996,436.00
Capital Project Fund	5,686.00	112,160.81	117,846.81
Capital Replacement Fund	100,000.00	95,150.00	195,150.00
Capital Project - Landfill Cleanup	67,293.00	-	67,293.00
Tax Increments	1,709,544.00	4,994.00	1,714,538.00
Storm Water Utility	294,245.00	178,862.00	473,107.00
Parks Trust Fund	71,530.00	56,648.00	128,178.00
Library Trust Fund	27,000.00	-	27,000.00
Enterprise Funds	13,038,705.00	-	13,038,705.00
TOTAL REVENUES	18,437,409.00	452,618.81	18,890,027.81
EXPENDITURES			
Impact Fees	140,000.00	-	140,000.00
Cemetery Fund	7,864.00	4,804.00	12,668.00
WDF/RLF/Housing Fund	60,000.00	-	60,000.00
Debt Service Funds	2,996,436.00	-	2,996,436.00
Capital Project Fund	701,250.00	560,913.77	1,262,163.77
Capital Replacement Fund	-	292,666.64	292,666.64
Capital Project - Landfill Cleanup	72,907.00	-	72,907.00
Tax Increments	1,671,579.00	4,994.00	1,676,573.00
Storm Water Utility	274,180.00	325,858.67	600,038.67
Parks Trust Fund	37,000.00	56,648.00	93,648.00
Library Trust Fund	8,000.00	10,225.33	18,225.33
Enterprise Funds	13,329,245.00	-	13,329,245.00
TOTAL EXPENDITURES	19,298,461.00	1,256,110.41	20,554,571.41

Adopted at a regular meeting of the common council on March 11, 2019.

Motion was seconded by Alderman Ard and carried.

Financial Management Software Consultant Services

Rae Ann Ailts explained as part of the 2019 Capital Improvement plan, we are looking into new financial software. Many software companies can meet our needs, but we also need to ensure that our objectives match with the software. We contacted EO Johnson to provide the service of mapping and vetting new software. The first phase will include an assessment of needs, wants and must haves. EO Johnson has provided this service many times and the representative who would be working with us has completed 300 of these assessments. The cost for the first phase is \$6,400 to come from the capital improvement funds. Alderman Montello moved to approve the contract stating we are not limited to the number of hours, but the amount is not to exceed \$6,400. Motion was seconded by Alderman Ard and carried.

Resolution #031903 – Approving Termination of Protective Covenants for Area 2

Noah Wiedenfeld explained the covenants that are overlayed in area two of the Business and Technical Park. This set required approval from Forward New Richmond and signatures from half of the residents in area two. Alderman Ard offered the following resolution and moved for its adoption:

RESOLUTION NO. 031903

A RESOLUTION APPROVING TERMINATION OF PROTECTIVE COVENANTS

WHEREAS, the City of New Richmond Industrial Economic Commission Protective Covenants was recorded June 24, 2002, in the office of the St. Croix County Register of Deeds in Vol. 1915, Page 054, as Document 682456; First Amendment to Protective Covenants recorded

November 2, 2006, as Document No. 837981 (collectively the “Covenants”) against real property located in the City limits; and

WHEREAS, the Covenants are no longer required pursuant to any regulatory requirement and the Owners and the City now desire to terminate the Covenants; and

WHEREAS, Section D-2 of the Covenants provides the Covenants may be terminated upon consent of the owners of 75% of the lots and not less than 60% of the collective property owners, and upon resolution duly passed by the Economic Development Commission (n/k/a Forward New Richmond) and approved by the City’s Common Council; and

WHEREAS, Forward New Richmond has reviewed the request for termination of the Covenants and has determined the termination of the Covenants is appropriate and acceptable.

NOW, THEREFORE, BE IT RESOLVED by Forward New Richmond that it approves the termination of the Covenants and recommends approval of the same by the Common Council.

Motion was seconded by Alderman Jackson and carried.

Resolution #031904 – Authorizing the DOT to Permit for Biosolids

Jeremiah Wendt explained the State Patrol notified us that we don’t qualify for the permit classification we have been operating under for many years and that we are over the statutory limits for hauling biosolids. The biosolids facility is working with an attorney to help pursue legislation to change the limits. The Utility Commission recommends approving the following resolution:

RESOLUTION #031904

RESOLUTION APPROVING LEGISLATIVE ACTION TO EXPRESSLY AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ISSUE A PERMIT THAT ALLOWS THE WEST CENTRAL WISCONSIN BIOSOLIDS FACILITY TO HAUL BIOSOLIDS IN EXCESS OF STATUTORY LIMITS

WHEREAS, The City of New Richmond has joined more than a dozen other Wisconsin municipalities, pursuant to § 66.0603 of the Wisconsin Statutes, to construct, operate and maintain a regional facility, known as the West Central Wisconsin Biosolids Facility (“Facility”), that processes biosolids generated by publicly-owned wastewater treatment plants; and

WHEREAS, the Facility has operated since 1995, providing great financial and environmental benefit to The City of New Richmond and the other Facility members; and

WHEREAS, it is critical to the success of the Facility that members be able to transport biosolids in excess of statutory size and weight limits to and from the Facility, as has been permitted since the inception of the Facility; and

WHEREAS, it has been determined by the Board of Commissioners of the Facility that legislative action is necessary to ensure that the Department of Transportation has express authority to permit such hauling of biosolids in excess of statutory limits;

NOW, THEREFORE, be it RESOLVED, that The City of New Richmond supports legislative action to modify section 348.27 of the Wisconsin Statutes to expressly allow the Department of Transportation to issue permits allowing trucks to transport biosolids on State highways in excess of statutory height and weight limits; and be it

FURTHER RESOLVED, that representatives of The City of New Richmond are hereby authorized to provide the Facility with whatever assistance may be required to aid in its efforts to effectuate legislative action as described above.

Alderman Montello moved to approve Resolution #031904 as recommended, seconded by Alderman Ard and carried.

Police Department Roof Bids

The following bids were received for the Police Department roof:

JG Hause Construction	\$39,800.00
Crush City Construction	\$71,624.60
G & V Construction	\$52,800.00
Becker Construction	\$39,130.00

Structural Buildings \$35,900

Alderman Ard moved to approve the low bid from Structural Buildings for \$35,600, seconded by Alderman Jackson and carried. The hail damage insurance proceeds will cover the cost of the repairs.

Police Department Siding Bids

Only one bid was received for replacing siding at the Police Department for \$43,850. This bid significantly exceeds the insurance proceeds from the hail damage. Staff will contact the insurance company to see if the deadline for repair can be extended. If so, City Staff will rebid the project. If the deadline cannot be extended, City Council will discuss this at their next meeting. Alderman Kittel moved to authorize staff to rebid this project if the deadline for repair can be extended otherwise Council will discuss this again next month, seconded by Alderman Montello and carried.

Next Work Session will be on March 25, 2019, at 4:30 p.m.

Communications and Miscellaneous

The St. Patrick's Day Parade is this Sunday at 2:00 p.m. Buttons are on sale to help offset the cost of the parade. The National Weather Service has issued a flood watch for Wednesday and Thursday of this week. The St. Croix County awards ceremony will be tomorrow at Faith Community Church in Hudson. Four of our officers will be receiving awards.

Closed Session

Alderman Ard moved to go into Closed Session per State Statute 19.85 (1)(g) – Quiet Title – Whispering Prairie Outlot 1, seconded by Alderman Jackson and carried.

Open Session

Alderman Montello moved to proceed as discussed in Closed Session, seconded by Alderman Ard and carried.

Alderman Ard moved to adjourn the meeting, seconded by Alderman Jackson, and carried.

Meeting adjourned at 8:45 p.m.

Tanya Batchelor
City Clerk